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P. 24 2004

Elaine C. Stracker

PATENT

Attorney's Docket No.: 00020.08CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

THAT Applicant:

Hodges et al.

Serial No.:

10/696,959

Filed:

10/30/2003

Title

DELIVERY OF AEROSOLS CONTAINING SMALL PARTICLES

THROUGH AN INHALATION ROUTE

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ §1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed after the period specified in 37 CRF 1.97(b), however, the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by the fee set forth in 37 CFR 1.97 (e) of \$180.00. The Applicants authorize the Commissioner to charge the cost of this fee to **Deposit Account No. 502731**.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

09/27/2004 MBLANCO 00000011 502731 10696959 01 FC:1806 180.00 DA I Faigh

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines than an extension and/or other relief is required, Applicants petition for any required relief including any extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 502731**. Please direct all correspondence to the following customer number.

Respectfully submitted,

	SEP.	24	2004
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Elaine C. Stracker J.D., Ph.D., Reg. 43,166

Alexza Molecular Delivery Corporation

1001 East Meadow Circle

Palo Alto, CA 94303

TEL: (650) 687-3905

FAX: (650) 687-3999

PTO/SB/17 (08-03)
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Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

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\$180.00

TOTAL AMOUNT OF PAYMENT

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	Name (Print/	Туре)		Elain	e C. Stracker		Attorney			433,166	Telephone		650-687-3	905
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### TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/696,959
Filing Date	10/30/2003
First Named Inventor	Hodges
Art Unit	1616
Examiner Name	M. Haghighatian
Attorney Docket Number	00020.08CON

ENCLOSURES (check all that apply)									
Fee Transmitta	al Form	Drawing(s	)		After Allowance communication to Group				
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	SIGNATUR	RE OF APPLICAN	NT, ATTORNEY, OR AGEN	Т					
Firm or Individual name	ALEXZA MDC, 100) Elaine C Stracker, Pl	East Meadow Ci	rcle, Palo Alto, CA 94303 hone (650)-687-3905	Cus	stomer Number 37485				
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PTO/SB/08 (2-92) Sheet 1 of 8

Form P 10-1449

## INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:	00020.08CON	Application Number	er: 10/696,959
Applicant:	Craig C. HODG	ES, et al.	
Filing Date:	10/30/2003	Group Art Unit:	1616

### U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/02/1971	3,560,607	Hartley et al.			
	2.	09/15/1987	4,693,868	Katsuda et al.			·
	3.	11/24/1987	4,708,151	Shelar			·
	4.	12/22/1987	4,714,082	Banerjee et al.			·
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	6.	04/12/1988	4,756,318	Clearman et al.			
	7.	06/28/1988	4,753,758	Miller			
	8.	09/20/1988	4,771,795	White et al.		·	
	9.	12/27/1988	4,793,365	Sensabaugh, Jr. et al.			
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	11.	08/22/1989	4,858,630	Banerjee et al.			
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· ·	13.	01/23/1990	4,895,719	Radhakrishnun et al.			
	14.	05/29/1990	4,928,714	Shannon			
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	16.	08/14/1990	4,947,874	Brooks et al.			
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DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

#### Application Number: 10/696,959 Docket Number: 00020.08CON Form PTO-1449 Craig C. HODGES, et al. Applicant: INFORMATION DISCLOSURE CITATION IN AN APPLICATION 1616 . Filing Date: 10/30/2003 Group Art Unit: (Use several sheets if necessary) 27. 12/31/1991 5,076,292 Sensabaugh, Jr. et al. 28. 04/21/1992 5,105,831 Banerjee et al. 29. 06/09/1992 5,119,834 Shannon et al. Neumann et al. 30. 07/28/1992 5,133,368 31. 08/11/1992 5,137,034 Perfetti et al. 32. Clearman et al. 10/20/1992 5,156,170 07/06/1993 5,224,498 Deevi et al. 33. 34. 10/05/1993 Morgan et al. 5,249,586 Ingebrethsen 35. 02/14/1995 5,388,574 Ingebrethsen 36. 02/14/1995 5,388,574 37. 5,456,247 Schilling, et al. 10/10/1995 5,544,646 Lloyd et al. 38. 08/13/1996 39. 12/09/1997 5,694,919 Rubsamen et al. Rubsamen et al. 40. 04/07/1998 5,735,263 Baichwal et al. 41. 04/14/1998 5,738,865 42. 06/29/1999 5,915,378 Lloyd et al. 08/10/1999 43. 5,934,272 Lloyd et al. Lloyd et al. 44. 09/28/1999 5,957,124 45. 10/05/1999 5,960,792 Lloyd et al. Sutton et al. 5,993,805 46. 11/30/1999 Faithfull et al. 47. 03/28/2000 6,041,777 48. 04/18/2000 6,051,566 Bianco 49. 08/01/2000 6,095,153 Kessler et al. 50. 08/15/2000 6,102,036 Slutsky et al. 6,241,969 Saidi et al. 51. 06/05/2001 52. 07/03/2001 6,255,334 Sands 53. 07/24/2001 6,264,922 Wood et al. 54. 01/14/2003 6,506,762 Horvath et al. 55. 02/04/2003 Bartus et al. 6,514,482 Staniforth et al. 56. 09/06/2001 US 2001/0020147 Wilson et al. 57. 03/28/2002 US 2002/0037828 DATE CONSIDERED: **EXAMINER:** EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO	Form PTO-1449			Doc	ket Number: 000	020.08CON		Application Number: 10/696,959		
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	59.	07/04/2002	US 2002/0086852	Canto	r					
	60.	08/22/2002	US 2002/0112723	Schus	ter et al.					
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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

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Form PTO-	Form PTO-1449 Docket			Docket Number: 00020.08CON Application Number: 10/696,959						
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12	2. 02/	/20/2003	US 2003/0035776	Hodges	et al.					
12	3. 05/	/15/2003	US 2003/0091511	Rabino	witz et al.					
12	4. 05/	/27/2004	US 2004/010148	Hale et	al.					
12	5. 07/	/31/2003	US 2003/0138382	Rabino	witz					
12	6. 11/	/06/2003	US 2003/0206869	Rabino	witz et al.					
12	7. 01/	/15/2004	US 2004/0009128	Rabino	witz et al.		,			
12	8. 05/	/27/2004	US 2004/0099269	Hale et	al.					
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13	9. 8/1	2/2004	US 2004/0156790	Rabino	witz et al.					
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Examiner Initials	Ref. No.	Date	Document No.		Countr	y	Class	Subclass	Translation YES NO	
	140.	03/14/1990	EP 0 358 114	Eur	ope					
	141.	08/29/2001	EP 0 606 486	Eur	rope					
	142.	03/07/2001	EP 1 080 720	Eur	ope					
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Form PTO	orm PTO-1449			Docket Number: 00020.08CON Application Number: 10/696,959					
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	144.	05/11/1994	WO 94/09842	WIPO					
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	152.	08/07/1997	WO 97/27804	WIPO					
	153.	05/28/1998	WO 98/22170	WIPO					
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	156.	05/25/2000	WO 00/29053	WIPO					
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	158.	12/21/2000	WO-00/76673	WIPO			a space.		
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	162.	05/18/2000	WO 00/27363	WIPO					
	163.	03/28/2002	WO 02/24158	WIPO			·		
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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION		Docket Number: 00020.08CON	Application Number: 10/696,959
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